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10/02/06

In the United States Patent and Trademark Office

Appn. Number: 10/760,156

Parent Appn. 10/007,489 Filed: 12/05/2001

Applicant: Elizabeth Gay Frayne

Title: Use of a Modified Phosphate for Enhancing the Natural Mutation Rate in Bacteria and Mutating Recombinant DNA Phage Inserts.

Examiner: Nancy Vogel

Art Unit: 1636

Assistant Commissioner for Patents
Washington, District of Columbia 20231

RE: Notice of Non-compliant Amendment:

The patent considered is one of two divisional applications of the parent application Ser. Nr. 10/007,489 filed 12/05/2001 titled *Microbial Production of Phosphorothioate Substituted DNA, RNA, and Oligo Mixtures*. Note the parent application has been allowed. The parent application was originally 13 claims. The claims elected for this pending application correspond to claims 6-7 of the parent application number 10/007,489. When I elected claims 6-7 for this divisional application I numbered them incorrectly as 1-2. I had the same problem with the other divisional application 10/679,305. This divisional application has claims 8-13 of the parent application as elected claims. An additional claim was added or claim 14 to this other divisional application and then withdrawn. Because of this the new claim in the other divisional application, the present application has a new numbered claim 15.

Note that Claims 6 and 7 have been amended of the present application have been amended. In doing so an additional claim 15 was added. Note the numbering is in reference to parent application and second divisional application.

Below are both an unmarked version and marked up version of the amended claims.